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VIA ELECTRONIC FILING
Courtesy Copy via Regular Mail

Hon. Carol Bagley Amon, U.S.D.J.
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Camacho v. CACH, LLC et al.*, Case No. 09-cv-5361-CBA-RML

Dear Judge Amon:

We represent Defendants CACH, LLC and Bronson & Migliaccio, LLP in the above-referenced matter. Pursuant to your Individual Rules, we write to request a pre-motion conference for a motion to dismiss to be filed by Defendants pursuant to Fed. R. Civ. P. 12(b)(6), on the grounds that Plaintiff's claims, as stated in the Complaint, are time-barred.

Plaintiff alleges violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* (the "FDCPA"). The most recent violation alleged in the Complaint occurred on or before November 26, 2008, when, according to Plaintiff, "Plaintiff's bank sent him a notice that it had frozen Plaintiff's bank account based upon a restraining order Defendants served upon it." There is a one-year limitations period for private FDCPA actions. 15 U.S.C. § 1692k(d). Plaintiff's Complaint was not filed until December 9, 2009, and is time-barred.

Based upon a conversation between my colleague, Gregory Zini, Esq., and Plaintiff's counsel, we believe that requesting Plaintiff's counsel to voluntarily discontinue this action would be futile. Accordingly, we request a pre-motion conference for Defendants' motion to dismiss.

Moreover, as we are not local to Brooklyn (Defendant Bronson & Migliaccio is headquartered in suburban Buffalo), and as the issues to be discussed obviously are discrete, we respectfully request that the pre-motion conference take place via telephone.

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Thank you for your kind attention to this letter.

Respectfully yours,

/s/ Bernard Schenkler

Bernard Schenkler
for DAMON MOREY LLP

cc: Ahmad Keshavarz, Esq. (via electronic filing and regular mail)

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